

ed April 22, 1879, and to repeal section 10 of said chapter,"

And find same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 26, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate concurrent resolution No. 21. "Authorizing and directing the Secretary of State to correct a mistake in enrollment of substitute House bill No. 120, passed at a former day of the present session of the Legislature, so as to show the action of the Senate thereon,"

And find the same correctly engrossed
BAILEY, Chairman.

Committee Room,

Austin, Texas, March 26, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on State Asylums, to whom was referred

Senate bill No. 274, being a bill to be entitled "An act to amend section 9 of an act to provide for the purchase of a site, and the establishment, location, construction and maintenance of a State Orphan Asylum, and to make an appropriation therefor, approved April 4, 1887,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLQUITT, Chairman.

UNIVERSITY OF TEXAS.

By Senator Darwin:

Strike out all of line 10, page 27.

Lost.

By Senator Beall:

Amend page 27, by adding between lines 9 and 10, the following: Apparatus necessary for Department of Electrical Engineering, \$6000.

Pending action, on motion of Senator Darwin, Senate adjourned till tomorrow morning at 10 o'clock.

SIXTY-FOURTH DAY.

Senate Chamber,

Austin, Texas, March 27, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.

Atlee.

Bailey.

Beall.

Boren.

Bowser.

Colquitt.

Darwin.

Dean.

Dibrell.

Dickson.

Goss.

Greer.

Harrison.

Lawhon.

Lewis.

McKinney.

Presler.

Rogers.

Shelburne.

Sherrill.

Simpson.

Stafford.

Steele.

Tips.

Whitaker.

Woods.

Absent, excused.

Gage.

Smith.

McComb.

Prayer by Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Agnew, the same was suspended.

PETITIONS AND MEMORIALS.

By Senator Greer:

Protest from citizens of Jefferson county, against the passage of the House bill restoring civil and criminal jurisdiction of the county court of Jefferson county.

Read and referred to Judiciary Committee No. 1.

By Senator Beall:

Petition of business men of Waxahachie, asking that traveling tailors or peddlers of clothing be taxed.

Read and referred to Committee on Finance.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 27, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 235, being a bill to be entitled "An act to incorporate the East Texas Co-operative Association of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BOWSER, Chairman.

Committee Room,

Austin, Texas, March 27, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on State Affairs, to whom was referred

House bill No. 55, being a bill to be entitled "An act creating the office of fish and oyster commissioner, and defining his duties,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend the caption by adding "and for the protection of the fish, turtle and terrapin of the bays and coast waters of the State, and to protect natural and artificial oyster beds and reefs, and to provide for the locating of private beds, and providing adequate penalties therefor."

Also sections 23 and 24 added which reads as follows:

"Section 23. It shall be unlawful for

any person to catch fish, green turtle or terrapin in the bays and coast waters of this State by drag seines or set nets, except as provided for in this act.

"Section 24. The catching of fish, green turtle and terrapin in said waters by poison, dynamite, nitro-glycerine, giant powder or other explosives, is hereby prohibited. Any person so offending shall, upon conviction, be fined not less than \$25 nor more than \$500, and each day shall constitute a separate offense."

Also by adding:

"Section 25. Any person wishing to engage in the business of fishing or catching green turtle, or terrapin, must make application in writing to the Fish and Oyster Commissioner or his deputy for a license, stating under oath that he is a citizen of the United States and a resident, and a tax payer of the State of Texas, and stating also the name and class of his boat, the number, length and class of nets to be used, and he shall receive a license authorizing such person to engage in such business. Such license must be signed by the fish and oyster commissioner or his deputy, and must be stamped with the seal of his office, and it shall state:

"1st. The name of applicant, and his place of residence.

"2nd. The name, class, and place of registry of his boat.

"3rd. The number, length and class of nets to be used.

"4th. The date of issuance of such license.

"Such license shall be good for all the purposes of this act for the term of one year from the day of issuance of same, and for such license the applicant shall pay to the fish and oyster commissioner or his deputy the sum of 10 cents per fathom for every fathom of drag seine, and 5 cents per fathom for every fathom of set nets, and the float line shall be deemed the length of such drag seine or set net, and it shall be the duty of the fish and oyster commissioner or his deputy to measure such seine or nets and attach securely to each one a metal tag with the letters "F. & O. C." stamped thereon."

By adding:

"Section 26. Any person shall be entitled to hold a license to catch fish, green turtle or terrapin for sale or market who is a citizen of the United States and a resident and tax payer of the State. Any one offending against this section shall upon conviction be fined not less than \$25 nor more than \$500."

By adding:

"Section 27. It shall be unlawful for any person to buy, sell or ship any red fish of more than twelve pounds in weight or of less than one and one-half pounds in weight. Any trout of less than one and half pounds of weight, or any sheephead of less than two pounds in weight. Any person offending against this section shall upon conviction be fined in any sum not less than \$10 nor more than \$250."

"Section 28. It shall be unlawful for any person to buy, sell or ship any green turtle less than twelve pounds in weight,

or any terrapin of less than six inches in length of under shell, or to buy, catch or sell any terrapin from the 1st day of May to the 1st day of August. Any person offending against this section shall upon conviction be fined in any sum not less than \$10 nor more than \$250."

"Section 29. It shall be unlawful for any person to catch any fish, green turtle or terrapin by drag seine or set net in these waters which are hereby declared to be breeding grounds for fish, green turtle and terrapin, to-wit:

"1st. All that portion of water in Cameron and Nueces counties lying west of a line starting from Griffin's Point, and running in a northerly direction to the northeast bank of Laguna Madre, and marked on the United States coast survey chart as Baffin's Bay and Aqua Dulce.

"2nd. All that portion of water in Nueces county lying north of the San Antonio and Aransas Pass Railroad bridge, and marked on the United States coast survey chart as Nueces Bay.

"3rd. All that portion of water in Aransas county north of a line starting from the town of Lamar and running south to the north end of Goose Island; thence in a southwesterly direction to the extreme southeast point of Live Oak Peninsula, and marked on the United States coast survey chart as Copano Bay, Puerto and Mission Bay.

"4th. All that portion of water in Aransas county marked on the United States coast survey chart as St. Charles Bay.

"5th. All that portion of water in Refugio and Calhoun counties marked on the United States coast survey chart as Hynes' Bay.

"6th. All that portion of water in Calhoun county north of a line starting from Marsh Point and running due east to the east bank of San Antonio Bay, and marked on the United States coast survey chart as Mission Bay and San Antonio Bay.

"7th. All that portion of Lavaca Bay in Calhoun county north and west of a line starting from Gallinipper Point on the south bank of said bay, running in a northerly direction along Gallinipper bar to Point Comfort, or sometimes called Mitchell's Point.

"8th. All that portion of water in Calhoun county marked on the United States coast survey chart as Caranchua Bay.

"9th. All that portion of water in Matagorda county north of a line starting from Nell Point and running east to Palacios Bayou and marked on the United States coast survey chart as Turtle Bay and Trespalacios Bay.

"10th. All that portion of water in Brazoria county north and east of Mud Island Pass, and marked on the United States coast survey chart as Bastrop Bay and Oyster Bay.

"11. All that portion of water in Galveston county north of a line starting from Red Bluff, on the west bank of Galveston Bay, and running in an easterly

direction to the first beacon south or Morgan's Point; thence in a northeasterly direction to Mesquite Point.

"12. All that portion of water in Chambers county marked on the United States coast survey chart as Turtle Bay.

"Any person offending against this section shall upon conviction be fined not less than \$25 nor more than \$250, and each day shall constitute a separate offense. And in all prosecutions under this section the identification of the boat from which such violation occur shall be prima facie evidence against the owner, lessee, person in charge or master of such boat.

"Section 30. Any person dragging a seine on shore shall return all fish not wanted for market to the water while they are yet alive, except sharks, gars, rays, saw fish and cat fish. Any person offending against this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$250.

"Section 31. The United States coast survey charts Nos. 203, 204, 205, 206, 207, 208, 209, 210, 211 and 212, covering the coast of Texas, shall be evidence in all prosecutions under this act.

"Section 32. Oyster beds shall be public and private. All those not designated as private shall be public. All natural oyster beds and oyster reefs in the navigable waters of the State shall be deemed public.

"Section 33. It shall be unlawful for any person to take or catch oysters from any public beds or reefs for sale or planting from the 30th day of April to the 1st day of September of each year; provided, that part of Laguna Madre west of Baffin's Bay be exempted from the operation of this section. Any person offending against this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$250, and each day shall constitute a separate offense.

"Section 34. It shall be unlawful for any person to catch or take oysters from the public beds and reefs for sale, who is not a bona fide citizen of the United States and a resident and taxpayer of the State. Any person offending against this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$10 nor more than \$250.

"Section 35. It shall be unlawful for any person to gather oysters with tongs or otherwise from the public beds and reefs of the State for sale without a license from the fish and oyster commissioner or his deputy for each and every pair of tongs that shall be used on his boat, and for such license he must pay to the fish and oyster commissioner or his deputy the sum of five dollars for each pair of tongs; and any person shall be entitled to hold such license who is a citizen of the United States and a resident and taxpayer of the State of Texas. Such license shall be good from day of issuance until April

30, next; such license shall be signed by the fish and oyster commissioner or his deputy and stamped with the seal of his office and shall state name of applicant and date of issuance; provided, that any person holding such license in his own name may take or catch oysters from any boat. Anyone offending against this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$250, and each day shall constitute a separate offense.

"Sec. 36. When oysters are gathered from the public beds, they must be culled, and the young oysters and dead shells must be returned to the original bed while the young ones are yet alive, and any person offending against this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$250 for each and every offense.

"Sec. 37. Any person offering for sale, or who shall sell any cargo of oysters which shall contain more than 5 per cent of young oysters, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$250. Any oyster that measures 2 1-2 inches or less from hinge to mouth, shall be deemed a young oyster for the purpose of this and the preceding section.

"Sec. 38. It shall be the duty of the fish and oyster commissioner or his legal deputy, when he thinks that any cargo of oysters offered for sale contain more than 5 per cent of the young oysters to take as many as he may deem necessary from such cargo, cull them and measure the marketable oysters and then measure the young oysters, or those that measure less than 2 1-2 inches from hinge to mouth, and ascertain to the best of his ability the proportion of the young oysters to the marketable oysters, and if the young oysters be in greater proportion than 5 per cent the cargo shall be deemed unculled and the owner shall be guilty of the offense prescribed in section 5 of this act.

"Section 39. Any person who is a bona fide citizen of the United States and a resident and taxpayer of the State shall have the right of obtaining a location for planting oysters and making private oyster beds within the navigable rivers of the State, other than those mentioned in section 10 of this act, by making written application to the fish and oyster commissioner or his deputy, describing the location desired. A fee of \$10 in cash must accompany such application. It shall then be the duty of the fish and oyster commissioner or his deputy to, as soon as practicable, thoroughly examine the location described, with tongs, dredge or in other efficient manner, and if the same be not a natural oyster bed or reef and not exempted from location by any section of this act, he shall

mark off a space not exceeding 50 acres in area by planting four buoys at each of the four corners, which buoys must not be less than 12 inches in diameter, and for which buoys or posts the labor of placing the same the locator must pay, and the locator must fasten securely to one or more of the buoys a notice of his location, and the fish and oyster commissioner or his deputy shall give to the locator a certificate, signed by such commissioner or his deputy, stamped with the seal of his office; such certificate shall show the date of application, date of survey, manner of marking and a description by metes and bounds with a reference to the points of the compass and natural or artificial objects by which the said location can be found and verified. At any time not exceeding 60 days after the date of such certificate of location the locator must file the same with the county clerk of the county in which the location is situated, who shall record the same in a well bound book kept for the purpose and the original, with a certificate of registration, shall be returned to the owner or locator. The clerk shall receive for the recording of such certificate the same fees as for recording deeds. The original or certified copies of such certificate shall be admissible in evidence under the same rules governing the admission of deeds or certified copies thereof. Any person so locating shall be protected in his possession thereof against trespass thereon in like manner as free holders are protected in their rights so long as he complies with section 9 of this act.

"Sec. 40. Any person who secures a location for a private oyster bed shall keep the corners marked by securely anchored buoys of not less than twelve inches in diameter, and he shall further pay to the State a tax of ten cents per acre, for each year of the first five years he occupies such location and twenty-five cents per acre for each year after the first five years that he occupies such location; this tax shall be paid to the legal tax collector of the county in which the location is situated, and it shall be due on January 1st, of each year, as other ad valorem taxes, and if not paid before March 1st of the same year the locator shall forfeit all rights to the location and the same shall revert to the State.

"Sec. 41. When any creek, bayou, lake or cove shall be included within the metes and bounds of any original grant or location in this State the lawful occupant of such grant or location shall have the exclusive right to use said creek, lake, bayou or cove for gathering, planting or sowing oysters within the metes and bounds of the original grant or patent of said land. But if said creek, bayou, lake or cove is not included in the survey of said lands, then the exclusive right of the riparian owner shall extend to the middle of said creek, bayou, lake or cove. No person shall locate any water or ground covered with water for planting oysters along any bay shore in this State, nearer than one hundred yards

from the shore, which one hundred yards is declared to be the riparian right of the land owner for planting oysters. In determining such riparian right of any land owner, the starting point must be at high water mark or where the land survey ceases, and measure out into the bay one hundred yards.

"Sec. 42. It shall be unlawful for any person to take oysters from a private bed or to take oysters deposited by one making up a cargo for market or family use without the consent or permission of the owner thereof, and any one offending any provisions of this section shall be deemed guilty of theft, and upon conviction shall be punished by fine of not less than \$50 nor more than \$250 or by confinement in the county jail of not less than twenty days nor more than twelve months, or by both such fine and such imprisonment.

"Sec. 43. In gathering oysters for market from the public oyster beds or reefs, it shall be unlawful for any person to use a rake or dredge, and any person offending against this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum of not less than \$500 nor more than \$1000.

"Sec. 44. Any person who shall wilfully deface, injure, destroy or remove any buoy or any part thereof, used to designate the corners or boundary of any private oyster bed without the consent of the owner thereof, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$50 nor more than \$250.

"Sec. 45. No person, firm or corporation shall ever own, lease or otherwise control more than 640 acres of land covered by water, the same being oyster locations under this act, and within the navigable waters of this State, and any person, firm or corporation that now holds 640 acres of oyster location shall not be permitted hereafter to acquire, own, lease or otherwise control more; provided, that no corporation shall own or lease or control any such lands covered by water, unless such corporation shall be duly incorporated under the laws of this State.

"Sec. 46. All laws or parts of laws in conflict with this act, be and the same are hereby repealed.

"Sec. 47. Whereas, the fish and oyster industries on the coast of the State of Texas have no adequate protection, and the near approach of the end of this session creates an emergency and imperative necessity that the constitutional rule requiring bills to be read on three several days be suspended and this bill put upon its third reading and final passage, and it is so enacted.

SIMPSON, Chairman.

Committee Room.

Austin, Texas, March 27, 1895.

Hon. George T. Jester, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 275, being a bill to be

entitled "An act to incorporate the city of Sherman, in Grayson county, and to fix the boundaries thereof, and to provide for the government and management of its affairs."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BOWSER, Chairman.

Committee Room,
Austin, Texas, March 27, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 166, being a bill to be 2 of chapter 86, of the general laws of the State of Texas, passed by the Twenty-third Legislature, exempting Denton, Cherokee, Nacogdoches and Navarro counties from the provisions of said law, making it a penal offense to use traps, nets and seines for the purpose of taking fish,"

Have had the same under consideration, and I am instructed by a majority of committee to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, March 27, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 253, being a bill to be entitled "An act to amend articles 3227 and 3228 of the Revised Civil Statutes of the State of Texas, as amended by an act of the Twenty-third Legislature of the State of Texas, approved March 29, A. D. 1893, relating to local option,"

Have had the same under consideration, and I am instructed by a majority of the committee to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, March 27, 1895.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 272, being a bill to be entitled "An act to amend article 186a of the Penal Code of the State of Texas, and to amend chapter 116 of the acts of the Twentieth Legislature of the State of Texas, approved April 2, 1887, adopting said article, and making provision for further exemption from the operation of the Sunday law in incorporated cities, having a population of ten thousand people or over,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, March 27, 1895.

Hon. George T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has refused to concur in the Senate amendments to House bill No. 540, and requests a free conference committee, and that the following members have been appointed on said committee on part of the House: Messrs. Greer, Burns, Bumpass, O'Neill and Watkins;

Also, that the House has adopted Senate concurrent resolution No. 21, "Authorizing the Secretary of State to correct a mistake in enrollment of substitute House bill No. 120, passed at a former day of this Legislature."

Also that the House has passed the following bills, to-wit:

House bill No. 668, "An act to fix the time for holding the courts in the Forty-sixth Judicial District and to repeal all laws in conflict herewith."

Passed by a two-thirds vote—ayes, 87; noes, none.

House bill No. 608, "An act to amend sections 4, 8, 10, 11, 24, 25, 28, 30, 36, 48, 49, 50, 58 and 59 of an act entitled 'An act to incorporate the city of Houston and grant a new charter to said city of Houston,' passed March —, 1893."

Respectfully,

CHESTER HAILE, Chief Clerk.

BILLS AND RESOLUTIONS.

By Senator Woods:

A bill to be entitled "An act to incorporate the city of Sherman, in Grayson county, to fix the boundaries thereof and to provide for the government and management of its affairs."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Bailey:

A bill to be entitled "An act to amend section 3 of an act approved February 6, 1891 (being chapter 3 of the acts of the regular session of the Twenty-second Legislature), in relation to the jurisdiction of the Seventeenth and Forty-eighth judicial districts."

Read first time and referred to Judiciary Committee No. 1.

By Senator Dibrell:

Whereas, It has been practically demonstrated by time and experience that the present land policy of this State, as applied to the public school lands of this State, is unwise and inexpedient, having been based on the idea of encouraging the actual settler in the acquisition of a home and at the same time preserving and augmenting the public school fund; and

Whereas, The greater part of said school lands is situated in that portion of our State little adapted to agricultural pursuits and the formation of homes for actual settlers; and

Whereas, Said public school lands, managed as common business sense would dictate to a private individual, would constitute a fund, the annuity of which would be ample to maintain our public free schools as contemplated by the constitution, and promised in our platform enunciation:

Therefore, Be it resolved by the Senate of Texas, that it is impossible to carry out with justice to the public school fund and the children of Texas, that laudable and humane idea of providing homes for the poor and at the same time preserving and augmenting the public school fund; that said land endowment was made to the children of Texas for the express purpose of their education, and is in the nature of a trust for a specific purpose, and that the interest of said trust fund must be paramount to all other objects.

Be it resolved further, In view of our long years of experience in dealing with this trust fund of public school lands, upon the theory of the actual settler, the best and most expedient policy to adopt in regard to said trust fund would be to fix the minimum price for said lands at 50 cents per acre, leaving the maximum price to be obtained for such lands to the joint discretion of our Land Commissioner and Governor, and to sell said lands in unlimited quantities for cash, or upon such terms as will insure the payment of the purchase money and interest without biennial legislative relief acts, and place said money in interest bearing bonds of our cities, counties and State.

Read and referred to Committee on Public Lands.

Call concluded.

The Chair gave notice of signing, and did sign after the caption had been read, House bill No. 25, "An act to amend article 3201 of the Revised Civil Statutes of the State of Texas."

On motion of Senator Dibrell, regular order of business was suspended to take up

Senate bill No. 77, being a bill to be entitled "An act to amend sections 4, 5 and 6 of an act entitled 'An act to regulate the practice of pharmacy in the State of Texas, and providing a penalty for the enforcement of the same,' approved April 6, 1889."

Bill read third time, and passed by the following vote:

Yeas—21.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	Presler.
Beall.	Rogers.
Bowser.	Shelburne.
Dean.	Sherrill.
Dibrell.	Simpson.
Dickson.	Stafford.
Goss.	Tips.
Greer.	Whitaker.
Harrison.	

Nays—6.

Boren.	McKinney.
Colquitt.	Steele.
Darwin.	Woods.

Absent—excused.

Gage.
McComb.

Smith.

IN SENATE.

House bill No. 437, "An act to encourage the breeding of and improvement in trotting, running and pacing horses in the State of Texas, and to prevent any person from entering any horse, mare, gelding, colt or filley under any other than its true name, or out of its proper class, in competition for any purse, prize, premium, stake or sweepstakes offered or given by any agricultural or other society, association, person or persons in the State of Texas, where such prize, purse, premium, stake or sweepstakes is offered to be decided by a contest of speed, and to provide penalties, etc."

Read first time and referred to Judiciary Committee No. 2.

House bill No. 395, a bill to be entitled "An act to amend article 459, chapter 4, title 7, of the Code of Criminal Procedure of the State of Texas, regulating the issuance of capias in felony cases where the accused has previously given bail."

Read first time and referred to Judiciary Committee No. 2.

House bill No. 436, a bill to be entitled "An act to amend article 490, title 15, chapter 1, Penal Code of the State of Texas, and by adding thereto subdivisions 7 and 8, and to repeal a portion of article 492 of title 15, chapter 1 of the Penal Code."

Read first time and referred to Judiciary Committee No. 2.

The Chair announced the following free conference committee to consider the difference of the two houses on

House bill No. 540, "An act to amend chapter 14, general laws of 1891, being an act entitled 'An act to authorize the transfer of the Confederate Home at Austin from private to State management, and to establish said Home as a State institution and provide for its support,' approved February 27, 1891."

Senators Simpson, McKinney, Lewis, Tips, Harrison.

The Chair gave notice of signing, and did sign after the caption had been read,

Senate bill No. 204, entitled "An act to authorize and empower the Houston East and West Texas Railway Company to lease and to operate, maintain and control, under lease, the Houston and Shreveport Railroad, situated in the State of Louisiana, and extending from the State boundary line at Logansport, Louisiana, thence through the parishes of DeSoto and Caddo, into the city of Shreveport, in said State."

On motion of Senator Woods, regular order was suspended to take up

House bill No. 47, "An act to protect persons, associations and unions of working men, incorporated or unincorporated, in their labels, trademarks and forms

of advertising and names, and to prescribe penalties for violation of same, and to repeal all laws or parts of laws in conflict with this act."

Action being upon the amendment of Senator Colquitt, to-wit: "Amend by striking out the enacting clause."

Pending action,

Senator Simpson offered to amend, as follows:

Amend by striking out all after line 11, page 2, after the word "receiver," section 1, of this bill.

Lost by the following vote:

Yeas—6.

Colquitt.	Lewis.
Dibrell.	Shelburne.
Lawhon.	Simpson

Nays—21.

Agnew.	Harrison.
Atlee.	McKinney.
Bailey.	Presler.
Beall.	Rogers.
Boren.	Sherrill.
Bowser.	Stafford.
Darwin.	Steele.
Dean.	Tips.
Dickson.	Whitaker.
Goss.	Woods.
Greer.	

Absent, excused.

Gage.	Smith.
McComb.	

(Senator Bailey in the chair.)

By Senator Greer:

Amend section 1, page 2, by striking out all after the word "conviction," in line 13, and insert in lieu thereof the following: "Be punished by fine of not less than ten nor more than one hundred dollars. Each day's violation of this section shall be considered a separate offense."

Adopted.

By Senator Greer:

Amend section 2, page 2, by striking out all after the word "advertisement," in line 21, down to and including the word "unincorporated," in line 22, and insert in lieu thereof the following: "For profit;" and further amend said section by striking out all after the word "conviction," in line 24, and insert in lieu thereof "be punished by fine of not less than ten nor more than one hundred dollars."

Adopted.

By Senator Colquitt:

Amend by adding the following after the word "receiver," in line 11, section 1, "Provided, that every such label, trade mark, design, device, imprint or form of advertisement shall bear the following: 'Registered under the laws of Texas,' and no such label, trade mark, design, device, imprint or form of advertisement shall be protected by this act, unless it bears the inscription hereby provided for."

Adopted.

By Senator Lewis:

Amend section 2, line 19, by adding after the word "shall," the words "willfully and knowingly."

24—Senate

Adopted by the following vote:

Yeas—15.

Agnew.	Greer.
Atlee.	Lawhon.
Beall.	Lewis.
Boren.	McKinney.
Colquitt.	Presler.
Dean.	Shelburne.
Dibrell.	Simpson.
Goss.	

Nays—11.

Bailey.	Sherrill.
Bowser.	Steele.
Darwin.	Tips.
Dickson.	Whitaker.
Harrison.	Woods.
Rogers.	

Absent, excused.

Gage.	Smith.
McComb.	

Absent, not excused.

Stafford.

By Senator Steele:

Amend section 1 by striking out the words "each day's violation of this section shall be considered a separate offense" in lines 16 and 17, page 2.

Lost by the following vote:

Yeas—10.

Agnew.	Goss.
Atlee.	Lewis.
Boren.	Shelburne.
Colquitt.	Simpson.
Dean.	Steele.

Nays—15.

Bailey.	McKinney
Beall.	Presler.
Bowser.	Rogers.
Darwin.	Sherrill.
Dickson.	Tips.
Greer.	Whitaker.
Harrison.	Woods.
Lawhon.	

Absent, excused.

Gage.	Smith.
McComb.	

Absent, not excused.

Dibrell. Stafford.

(Lieutenant Governor Jester in the chair.)

By Senator Greer:

Amend section 3, page 3, line 5, by striking out the words "inclusive of reasonable attorney's fees."

By Senator Lewis:

Amend the amendment by striking out all following the words "attorneys fees," in line 6, down to and including the word "sale," in line 8.

Senator Bailey moved the previous question on the bill and pending amendments, which was duly seconded and prevailed by the following vote:

Yeas—15.

Agnew.	Dean.
Beall.	Dickson.
Boren.	Harrison.
Bowser.	Presler.
Darwin.	Rogers.

Stafford.
Steele.
Tips,

Whitaker.
Woods.

Nays—11.

Atlee.
Bailey.
Colquitt.
Goss.
Greer.
Lawhon.

Lewis.
McKinney.
Shelburne.
Sherrill.
Simpson.

Absent, excused.

Gage.
McComb.

Smith.

Absent, not excused.

Dibrell.

Pending taking the ballot on the previous question.

Senator Lewis sent up the following amendment and asked that it be considered:

Amend section 1, line 28, by adding after the word "associations," the words "private corporations."

Senator Lewis' amendment to the amendment (Senator Greer's), to-wit:

"Amend amendment by striking out all following the words 'attorneys fees,' in line 6 down to and including the word 'sale,' in line 8,"

Was lost by the following vote:

Yeas—11.

Agnew.
Atlee.
Boren.
Colquitt.
Dean.
Dibrell.

Goss.
Lawhon.
Lewis.
Shelburne.
Simpson.

Nays—16.

Bailey.
Beall.
Bowser.
Darwin.
Dickson.
Greer.
Harrison.
McKinney.

Presler.
Rogers.
Sherrill.
Stafford.
Steele.
Tips.
Whitaker.
Woods.

Absent, excused.

Gage.
McComb.

Smith.

Senator Greer's amendment was then adopted by the following vote:

Yeas—20.

Agnew.
Atlee.
Bailey.
Beall.
Boren.
Colquitt.
Dean.
Dibrell.
Dickson.
Goss.

Greer.
Lawhon.
Lewis.
Presler.
Shelburne.
Simpson.
Stafford.
Steele.
Tips.
Whitaker.

Nays—7.

Bowser.
Darwin.
Harrison.
McKinney.

Rogers.
Sherrill.
Woods.

Absent, excused.

Gage.
McComb.

Smith.

Senator Lewis' last amendment was adopted by the following vote:

Yeas—18.

Agnew.
Atlee.
Boren.
Colquitt.
Dean.
Dibrell.
Goss.
Greer.
Lawhon.

Lewis.
Presler.
Shelburne.
Sherrill.
Simpson.
Steele.
Tips.
Whitaker.
Woods.

Nays—9.

Bailey.
Beall.
Bowser.
Darwin.
Dickson.

Harrison.
McKinney.
Rogers.
Stafford.

Absent, excused.

Gage.
McComb.

Smith.

Senator Colquitt's amendment (to strike out the enacting clause) was then lost by the following vote:

Yeas—6.

Colquitt.
Dibrell.
Lawhon.

Lewis.
Shelburne.
Simpson.

Nays—21.

Agnew.
Atlee.
Bailey.
Beall.
Boren.
Bowser.
Darwin.
Dean.
Dickson.
Goss.
Greer.

Harrison.
McKinney.
Presler.
Rogers.
Sherrill.
Stafford.
Steele.
Tips.
Whitaker.
Woods.

Absent—excused.

Gage.
McComb.

Smith.

Bill passed to a third reading by the following vote:

Yeas—21.

Agnew.
Atlee.
Bailey.
Beall.
Boren.
Bowser.
Darwin.
Dean.
Dickson.
Goss.
Greer.

Harrison.
McKinney.
Presler.
Rogers.
Sherrill.
Stafford.
Steele.
Tips.
Whitaker.
Woods.

Nays—6.

Colquitt.
Dibrell.
Lawhon.

Lewis.
Shelburne.
Simpson.

Absent—excused.

Gage.
McComb.

Smith.

Senator Atlee entered a motion to reconsider the vote by which the bill passed to a third reading:

Senator Bowser called up the motion to reconsider, and moved to table same.

Tabled by the following vote:

Yeas—16.

Bailey.
Beall.
Boren.

Bowser.
Darwin.
Dickson.

Greer.
Harrison.
McKinney.
Presler.
Rogers.

Sherrill.
Stafford.
Tips.
Whitaker.
Woods.

Nays—11.

Agnew.
Atlee.
Colquitt.
Dean.
Dibrell.
Goss.

Lawhon.
Lewis.
Shelburne.
Simpson.
Steele.

Absent, excused.

Gage.
McComb.

Smith.

Senator Rogers moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put upon its third reading and final passage.

Lost by the following vote (requiring four-fifths):

Yeas—17.

Agnew.
Bailey.
Beall.
Boren.
Bowser.
Darwin.
Dickson.
Greer.
Harrison.

McKinney.
Presler.
Rogers.
Sherrill.
Stafford.
Tips.
Whitaker.
Woods.

Nays—10.

Atlee.
Colquitt.
Dean.
Dibrell.
Goss.

Lawhon.
Lewis.
Shelburne.
Simpson.
Steele.

Absent—excused.

Gage.
McComb.

Smith.

Senator Simpson moved to suspend regular order of business and take up

Senate bill No. 274, being a bill to be entitled "An act to amend section 9 of an act to provide for the purchase of a site, and the establishment, location, construction and maintenance of a State Orphan Asylum, and to make an appropriation therefor, approved April 4, 1887."

Lost.

Senator Whitaker entered a motion to reconsider the vote by which the amendment to

Senate bill No. 231, being a bill to be entitled "An act to amend section 92, chapter 122, of the general laws of the Twenty-third Legislature, relating to transfer of children from one school district to another," was lost, to-wit:

By Senator Colquitt:

Amend by striking out all after the word "county," in line 19, down to and including the word "child," in line 21.

Senator Greer called up the following free conference committee report:

Committee Room,

Austin, Texas, March 25, 1895.

Hon. Geo. T. Jester, President of the Senate, and Hon. T. S. Smith, Speaker of the House of Representatives:

Your Free Conference Committee, to

whom was referred the differences between the two houses on

Senate bill No. 6, being "An act concerning primary elections called and held by authority of any political party, to prevent illegal voting at the same and false returns thereof, and providing penalties therefor."

Have had the same under consideration, and recommend that the Senate concur in the following House amendments:

Amend by adding other sections as follows:

"Section 5. If any person shall bribe or offer to bribe any presiding officer, manager, judge or clerk of any primary election called and held by authority of any political party for the purpose of nominating candidates of such political party for public office, as a consideration for some act done or omitted to be done, or to be done or omitted, contrary to his duty in relation to such primary election, shall be punished by fine not exceeding five hundred dollars.

"Section 6. If any person shall bribe or offer to bribe any voter for the purpose of influencing his vote at any primary election called and held by authority of any political party, for the purpose of nominating candidates of such political party for any public office, upon conviction thereof shall be punished by fine not exceeding five hundred dollars.

"Section 7. The fact that many cities and towns of this State will hold their election at an early date, and in many of them primary elections will be held, which should have the protection of this act, creates an emergency and imperative public necessity for the suspension of the constitutional rule requiring bills to be read in each house on three several days, and that this act take effect and be in force from and after its passage, and it is so enacted."

And that the House recede from the following amendments:

"Section 8. If any person shall, whether before after the holding of any primary election within this State, called and held by authority of any political party for public office, wager or bet in any manner whatsoever upon the result of any such primary election, he shall be fined in any sum not exceeding five hundred dollars."

"Section 9. The bet or wager may be of money or any article of value, and any device in the form of purchase or sale or in other forms, made for the purpose of concealing the true intention of the parties, is equally within the meaning of a bet or wager."

Amend by adding to section 4, "Provided that no county in which such primary election shall be held shall be liable for any cost for any such election."

Amend the caption by adding the following: "And to prevent the bribery of officers and voters, and to prevent betting on the result of such primaries, and to fix penalties therefor."

And that the caption be amended as follows: By adding after the word "there-

of," and before the word "and" the following: "And to prevent the bribery of officers and voters."

R. A. GREER,
E. L. AGNEW,
O. B. COLQUITT,
J. B. DIBRELL,

Committee on part of the Senate.

A. H. GRAHAM,
CULLEN F. THOMAS,
A. T. M'KINNEY,

Committee on part of the House.

Adopted.

Senator Greer moved to adopt the report.

Adopted.

Senator Lawhon sent up the following free conference report, and moved its adoption:

Committee Room,

Austin, Texas, March 26, 1895.

Hon. George T. Jester, President of the Senate, and Hon. T. S. Smith, Speaker of the House of Representatives:

Your Free Conference Committee, to whom were referred the differences between the houses on

Senate bill No. 166, being "An act to amend section 1 of an act entitled 'An act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, act to amend section 46 of an act to encourage stockraising and protect stockraisers, approved April 22, 1879, and amended April 12, 1880, April 4, 1881, March 27, 1887, March 29, 1889, March 23, 1891, April 15, 1891, and March 29, 1893, so as to exempt Wilson county from the operation of the stock inspection law,'"

Beg leave to report that we have had the same under consideration, and respectfully recommend:

First. That the House recede from the following House amendments to said bill:

(1) Amend by inserting "Mason" after "Llano" in line 11, page 2.

(2) Amend by adding "Taylor" after "Wilson" in line 23, page 2, also after "Hunt" in line 12, page 3.

Second. That the House adhere and the Senate concur in the following House amendments to the bill:

(1) Amend by adding after the word "duties" in line 2, page 3, the following: "Provided, the inspector shall be elected in the counties of Cameron, Hildago, Star and Zapata" as amended as follows add "Webb" after Zapata.

(2) Amend amendment by adding after the word "Angelina" the word "Atascosa."

Third. That the following additional amendments be made to the bill as amended:

(1) Add "Encinal" after "Webb."

(2) Amend by adding after the word "Wichita" in line 23, page 2, the words "Guadalupe, Gillespie, Baylor and Knox;" and after the word "Navarro" in line 13, page 3, the words "Guadalupe, Gillespie, Baylor and Knox."

Third. Amend the caption to read as follows: "An act to amend section 1 of an act of the Twenty-third Legislature of the State of Texas, entitled 'An act to amend section 1 of an act entitled an act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79, of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879, and amended April 4, 1881, and April 12, 1880, and March 27, 1887, and March 29, 1889, and amended March 23, 1891, April 15, 1891, and March 29, 1893, approved May 11, 1893, so as to exempt Wilson, El Paso, Atascosa, Guadalupe, Gillespie, Baylor and Knox counties from the operation of the stock inspection law, and to provide for the election of an inspector of hides and animals in the counties of Cameron, Hildago, Starr, Zapata, Webb and Encinal.'"

(4) Amend by striking out the word "Llano" in line 11, page 2 of the bill.

LAWHON,
ATLEE,
GOSS.

Committee on part of the Senate.

JENNINGS,
SEABURY,
M'NEILL,
WURZBACH.

Committee on part of the House.

On motion of Senator Simpson, regular order of the business was suspended take up

Senate bill No. 274, being a bill to be entitled "An act to amend section 9 of an act to provide for the purchase of a site, and the establishment, location, construction and maintenance of a State Orphan's Asylum, and to make an appropriation therefor, approved April 4, 1887."

Bill read second time and ordered engrossed.

On motion of Senator Simpson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—24.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McKinney.
Beall.	Presler.
Boren.	Shelburne.
Bowser.	Sherrill.
Colquitt.	Simpson.
Dean.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Goss.	Whitaker.
Harrison.	Woods.

Nays—1.

Darwin.	Absent, excused.
Gage.	Smith.
McComb.	Absent, not excused.
Greer.	Rogers.

Bill read third time and passed by the following vote:

Yeas—24.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McKinney.
Beall.	Presler.
Boren.	Shelburne.
Bowser.	Sherrill.
Colquitt.	Simpson.
Dean.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Goss.	Whitaker.
Harrison.	Woods.

Nays—1.

Darwin.

Absent, excused.

Gage.

Smith.

McComb.

Absent, not excused.

Greer.

Rogers.

Senator Simpson moved to reconsider the vote by which the bill was passed and to lay that motion on the table.

Tabled.

On motion of Senator Lewis, Senate adjourned to 3 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	McKinney.
Beall.	Presler.
Boren.	Rogers.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Darwin.	Simpson.
Dean.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Goss.	Whitaker.
Greer.	Woods.

Absent, excused.

Gage.

Smith.

McComb.

Absent, not excused.

Lewis.

By Senator Tips:

Resolved, That after the consideration of the general appropriation bill, all other appropriation and revenue bills that may be before the Senate shall have precedence over other bills, and shall be made special order during the afternoon sessions of the Senate.

Adopted.

HOUSE MESSAGE.

House of Representatives
Austin, Texas, March 27, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted

the report of the free conference committee on the following bills:

Senate bill No. 6.

Senate bill No. 183.

Respectfully,

CHESTER HAILE, Chief Clerk.

COMMITTEE REPORTS:

Committee Room,

Austin, Texas, March 27, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 204, being "An act to authorize and empower the Houston East and West Texas Railway Company to lease and operate, maintain and control, under lease, the Houston and Shreveport Railroad, situated in the State of Louisiana, and extending from the State boundary line at Logansport, Louisiana, thence through the parishes of DeSoto and Caddo into the city of Shreveport, in said State."

And find the same correctly enrolled, and have this day at 12:25 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, March 27, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 274, being "An act to amend section 9 of an act to provide for the purchase of a site, and the establishment, location, construction and maintenance of a State Orphan Asylum, and to make an appropriation therefor, approved April 4, 1887,"

And find the same correctly engrossed.

BAILEY, Chairman.

The Chair laid before the Senate

Substitute Senate bill No. 78, entitled "An act making an appropriation for the support of the State government for the years beginning March 1, 1895, and ending February 28, 1897, to cover deficiencies and for other purposes,"

Action being on the

UNIVERSITY OF TEXAS.

and Senator Beall's amendment, to wit:

Amend page 27, by adding between lines 9 and 10, the following: Apparatus necessary for Department of Electrical Engineering, \$6000.

Adopted.

By Senator Darwin:

Amend by striking out line 10, page 27. Lost.

By Senator Shelburne:

Amend page 27, line 10, by striking out "\$38,500" when it occurs and inserting "\$40,500" in lieu thereof.

Adopted.

By Senator Dibrell:

Amend by striking out all after the word "department" in line 5 on page 27,

down to and including the word "ten" in line 6, and insert in lieu thereof the following, "and not less than twenty."

Lost by the following vote:

Yeas—9.

Colquitt.	McKinney.
Darwin.	Rogers.
Dibrell.	Steele.
Dickson.	Woods.
Harrison.	

Nays—14.

Agnew.	Greer.
Atlee.	Lawhon.
Bailey.	Shelburne.
Beall.	Sherrill.
Bowser.	Simpson.
Dean.	Tips.
Goss.	Whitaker.

Absent—excused.
Smith.

Gage.
McComb.

Absent, not excused.

Boren.	Presler.
Lewis.	Stafford.

By Senator Sherrill:

Amend page 27 by adding at the end of line 10 the following: "For a conservatory of music in the main University building at Austin, to be established and maintained under the direction and control of the Board of Regents, to be expended within two years, \$10,000."

Lost by the following vote:

Yeas—9.

Agnew.	Shelburne.
Atlee.	Sherrill.
Bowser.	Simpson.
Dickson.	Woods.
Greer.	

Nays—14.

Bailey.	Harrison.
Beall.	McKinney.
Colquitt.	Rogers.
Darwin.	Stafford.
Dean.	Steele.
Dibrell.	Tips.
Goss.	Whitaker.

Absent, excused.

Boren.	McComb.
Gage.	Smith.

Absent—not excused.

Lawhon.	Presler.
Lewis.	

On motion of Senator Dickson, Senator Boren was excused for non-attendance this afternoon and tomorrow on account of sickness.

SAM HOUSTON NORMAL INSTITUTE.

By Senator Colquitt:

Amend line 13, page 27, by striking out "\$30,000" in each column and insert "\$20,000" in lieu thereof.

By Senator Atlee:

Amend the amendment: Strike out "\$20,000" wherever it occurs and insert in lieu thereof "\$35,000."

Lost by the following vote:

Yeas—10.

Agnew.	Greer.
Atlee.	Lawhon.
Bowser.	Shelburne.
Dean.	Simpson.
Goss.	Whitaker.

Nays—13.

Beall.	Rogers.
Colquitt.	Sherrill.
Darwin.	Stafford.
Dibrell.	Steele.
Dickson.	Tips.
Harrison.	Woods.
McKinney.	

Absent, excused.

Boren.	McComb.
Gage.	Smith.

Absent, not excused.

Bailey.	Presler.
Lewis.	

The amendment was then lost.

AGRICULTURAL AND MECHANICAL COLLEGE.

By Senator Darwin:

Strike out all of line 24.

Lost.

By Senator Colquitt:

Amend by striking out line 22, page 27.

Lost.

By Senator Colquitt:

Amend by striking out line 23, page 27.

Lost.

PRAIRIE VIEW NORMAL SCHOOL.

By Senator Simpson:

Amend line 5, page 28, by striking out "decided" and inserting "decides."

Adopted.

By Senator Tips:

Amend page 28, line 8 by striking out the word "and" and add after the word "wagon" the words "and harness."

Adopted.

LIVE STOCK SANITARY COMMISSION.

STATE PENITENTIARIES.

By Senator Tips:

Amend by inserting between lines 24 and 25, page 28, the following: "To refund to convicts of the Risk Penitentiary, through the Assistant Superintendent thereof, the balance of a defalcation by Wm. Neal Ramey, ex-Assistant Superintendent, \$666.32."

Adopted.

HOUSE OF CORRECTION AND REFORMATORY.

By Senator Rogers:

Amend page 29, by striking out lines 19, 20, 21 and 22 and insert in lieu thereof the following: "For the purchase of lands and erection of buildings for the use and occupancy of colored youths, \$35,000."

Adopted.

MISCELLANEOUS.

By Senator Goss:

Amend by adding on page 30, between lines 25 and 26, the following: "To refund

to Ed. Millan amount paid on 160 acres as pre-emption under articles 3923 and 3927, Revised Statutes, the land applied for being in conflict with an older survey."

Withdrawn.

By Senator Shelburne:

Amend by inserting between lines 25 and 26, page 30, the following: "To purchase eighteen acres of land, more or less, lying between the present property known as the San Jacinto battle field and Buffalo Bayou, so as to place all of said property in one body and give it a frontage on said bayou, \$750."

Adopted.

By Senator Tips:

Amend line 24, page 30, by striking out "\$8000" and inserting "\$12,500" in each column in lieu thereof.

Adopted.

By Senator Tips:

Amend page 29, line 10, by adding after the word "maintenance" the following: "Including compensation and mileage as prescribed by law to members of the board of directors for attending meetings of the board."

Adopted.

CONFEDERATE HOME.

By Senator Simpson:

Amend line 28, page 30, by striking out "\$28,800" where it appears and insert in lieu the following: For the two years commencing March 1, 1895, and ending March 1, 1897, "\$57,600."

Adopted by the following vote:

Yeas—11.

Atlee.	Rogers.
Goss.	Shelburne.
Greer.	Sherrill.
Harrison.	Simpson.
Lawhon.	Woods.
Presler.	

Nays—10.

Bailey.	Dickson.
Beall.	McKinney.
Colquitt.	Steele.
Darwin.	Tips.
Dibrell.	Whitaker.

Absent—excused.

Boren.	McComb.
Gage.	Smith.

Absent, not excused.

Agnew.	Lewis.
Bowser.	Stafford.
Dean.	

By Senator Darwin:

Strike out "\$4000" in second column, line 15, page 31.

Lost.

Senator Simpson moved to reconsider the vote by which the amendment was lost.

The motion to reconsider was adopted by the following vote:

Yeas—15.

Agnew.	Dean.
Atlee.	Dibrell.
Bailey.	Goss.
Darwin.	Harrison.

Presler.	Stafford.
Shelburne.	Whitaker.
Sherrill.	Woods.
Simpson.	

Nays—10.

Beall.	Lawhon.
Bowser.	McKinney.
Colquitt.	Rogers.
Dickson.	Steele.
Creer.	Tips.

Absent, excused.

Boren.	McComb.
Gage.	Smith.

Absent—not excused.

Lewis.

Senator Darwin's amendment was then lost.

By Senator Lawhon:

Amend by striking out line 19, page 31.

Adopted.

By Senator Simpson:

Amend line 16, page 31, by striking out "\$4000" and inserting "\$3000."

Adopted.

By Senator Tips:

Amend by adding in line 28, page 30, after the word "month," the following: "Including compensation as prescribed by law to members of the board of directors for attending meetings of the boards."

Adopted.

By Senator Colquitt:

Amend by striking out "\$200," in line 27, page 30.

Adopted.

Senator Rogers moved to reconsider the vote by which the amendment offered by Senator Simpson to line 28, page 30, was adopted.

Reconsidered.

The amendment was then lost.

Senator Colquitt called up Senator Simpson's motion to reconsider the vote by which the salary of the superintendent of the State Orphans Asylum was reduced from \$1500 to \$1000.

Reconsidered.

The amendment was then lost.

Senator Presler called up Senator Rogers' motion to reconsider the vote by which line 27, page 25, was stricken out.

Reconsidered.

The amendment was then lost by the following vote:

Yeas—10.

Atlee.	McKinney.
Colquitt.	Shelburne.
Darwin.	Simpson.
Dibrell.	Steele.
Dickson.	Woods.

Nays—15.

Agnew.	Lawhon.
Bailey.	Presler.
Beall.	Rogers.
Bowser.	Sherrill.
Dean.	Stafford.
Goss.	Tips.
Greer.	Whitaker.
Harrison.	

Absent, excused.
Boren. McComb.
Gage. Smith.
Absent, not excused.
Lewis.

On motion of Senator Atlee, Senate adjourned till tomorrow morning at 10 o'clock.

SIXTY-FIFTH DAY.

Senate Chamber,
Austin, Texas, March 28, 1895.
Senate met pursuant to adjournment.
Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McKinney.
Beall.	Presler.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Dibrell.	Stafford.
Dickson.	Steele.
Goss.	Tips.
Greer.	Whitaker.
Harrison.	Woods.

Absent, excused.
Boren. McComb.
Gage. Smith.

Prayer by the Chaplain, Dr. Smoot.
Pending reading of the Journal of yesterday,

On motion of Senator Whitaker, the same was suspended.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 28, 1895.
Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 437, being a bill to be entitled "An act to encourage the breeding of and improvement in trotting, running and pacing horses in the State of Texas, and to prevent any person from entering any horse, mare, gelding, colt or filley under any other than its true name or out of its proper class in competition for any purse, prize, premium, stake or sweepstakes, offered or given by any agricultural or any other society, association, person or persons in the State of Texas, where such prize, purse or premium, stake or sweepstakes is offered to be decided by contest of speed,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend section 2 by adding thereto,

"and shall pay a fine of \$100 for each such offense."

Amend section 3 by adding thereto; "and shall pay a fine of \$100 for each such offense."

AGNEW, Chairman.

Committee Room,
Austin, Texas, March 28, 1895.
Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 276, a bill to be entitled "An act to amend section 3 of an act approved February 6, 1891, (being chapter 3 of the acts of the regular session of the Twenty-second Legislature,) in relation to the jurisdiction of the Seventeenth and Forty-eighth judicial districts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Acting Chairman.

Committee Room,
Austin, Texas, March 28, 1895.
Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 104, being a bill to be entitled "An act to amend chapter 5, title 10, of the Penal Code of the State of Texas, by adding articles 342a, 342b, defining 'the abominable and detestable crime against nature,' prohibiting any person from causing or assisting another to commit the crime of masturbation, providing for the punishment thereof, and defining masturbation,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, March 28, 1895.
Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 252, being a bill to be entitled "An act to amend article 685, chapter 5, title 8, of the Code of Criminal Procedure of the State of Texas, relating to trial and its incidents,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, March 28, 1895.
Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 63, being a bill to be entitled "An act to amend an act passed by the Twenty-third Legislature of Texas, approved March 29, 1893, entitled